

**REMARKS**

In the final Office Action, dated December 11, 2006, Examiner rejects claims 1-3, 5, 11, 12, 14-16, 18, and 31 under 35 U.S.C. § 102(e) as anticipated by BUYUKKOC et al. (U.S. Patent No. 6,463,062); rejects claims 4 and 17 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of NOAKE et al. (U.S. Patent No. 6,751,222); rejects claims 6, 8, 9, 19-21, 23, and 25 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of CHRISTIE et al. (U.S. Patent No. 6,690,656); rejects claims 7 and 22 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of FARRIS et al. (U.S. Patent No. 6,154,445); rejects claim 10 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of VANDERVORT et al. (U.S. Patent No. 5,761,191) or HORN et al. (U.S. Patent No. 5,276,676); rejects claims 13 and 38 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of BASSO et al. (U.S. Patent No. 6,633,539); rejects claims 24 and 26 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of CHRISTIE et al. and further in view of GAI et al. (U.S. Patent No. 6,167,445); rejects claims 27-29 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of KOBAYASHI et al. (U.S. Patent No. 5,896,371); rejects claim 30 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of SMITH et al. (U.S. Patent No. 6,222,823); rejects claims 32-37 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of KILKKI et al. (U.S. Patent No. 6,041,039); rejects claims 39-43, 45, 50, and 58 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of GAI et al.; rejects claim 44 under 35 U.S.C. § 103(a) as unpatentable over

BUYUKKOC et al. in view of GAI et al. and further in view of NOAKE et al.; rejects claims 46-48 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of GAI et al. and further in view of CHRISTIE et al.; rejects claim 49 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of GAI et al. and further in view of FARRIS et al.; rejects claims 54-56 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of GAI et al. and further in view of KOBAYASHI et al.; rejects claim 57 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of GAI et al. and further in view of SMITH et al.; rejects claims 59-64 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of GAI et al. and further in view of KILKKI et al.; and rejects claim 65 under 35 U.S.C. § 103(a) as unpatentable over BUYUKKOC et al. in view of GAI et al. and further in view of BASSO et al. Applicants respectfully traverse the above rejections.

By way of the present amendment, Applicants cancel claims 40 and 41 without prejudice or disclaimer, and amend claims 1-39, 42-50, and 54-56 to improve form. No new matter has been added by way of the present amendment. Claims 1-39, 42-50, and 54-81 are pending. Of these claims, claims 66-81 have been withdrawn due to a restriction requirement.

**Rejection under 35 U.S.C. § 102(e) based on BUYUKKOC et al.**

Claims 1-3, 5, 11, 12, 14-16, 18, and 31 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by BUYUKKOC et al. Applicants respectfully traverse this rejection with respect to the claims, as currently presented.

A proper rejection under 35 U.S.C. § 102 requires that a single reference teach every aspect of the claimed invention. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131. BUYUKKOC et al. does not disclose or suggest one or more of the features recited in claims 1-3, 5, 11, 12, 14-16, 18, and 31.

For example, independent claim 1 is directed to a method in an Asynchronous Transfer Mode (ATM) network including an ingress switch and an egress switch, where said ingress switch serves an ingress device operated by a calling party and said egress switch serves an egress device operated by a called party. The method comprises receiving, in said ingress switch, a signaling message from said ingress device; providing said signaling message to a signaling intercept processor associated with said ingress switch; propagating said signaling message from the signaling intercept processor to a policy server, said policy server being associated with a policy profile database, the policy profile database storing entries that relate subscribers to policies, where each policy identifies one or more policy features, of a group of policy features, with which the related subscriber is associated; identifying, in the policy profile database and based on the signaling message, a policy for the calling party; determining, in the policy server and based on the signaling message, that the policy for the calling party is to be enforced; executing, in said policy server and based on said signaling message, appropriate service logic for each policy feature of the one or more policy features identified by the policy for the calling party; determining whether a policy condition associated with each policy feature, of the one or more policy features identified by the policy for the calling party, is satisfied with respect to said signaling message; and establishing a connection path

between said ingress switch and said egress switch based on said determination that said policy condition is satisfied for each policy feature, of the one or more policy features identified by the policy for the calling party. BUYUKKOC et al. does not disclose or suggest one or more of these features.

For example, BUYUKKOC et al. does not disclose or suggest identifying, in the policy profile database and based on the signaling message, a policy for the calling party, where the policy profile database stores entries that relate subscribers to policies, where each policy identifies one or more policy features, of a group of policy features, with which the related subscriber is associated. The Examiner relies on BUYUKKOC et al.'s routing status database (RSD) server 730 as corresponding to the recited policy server (final Office Action, pp. 3 and 27). Applicants submit that RSD server 730 does not include and is not associated with a policy profile database, as recited in claim 1, as amended.

BUYUKKOC et al. discloses that RSD server 730 contains some or all of the following information for each (source, destination) pair: connectivity information regarding the set of routes that can be used to interconnect the source and destination; information about alternate routes; information on the capacity of each route in the network; status of all of the routes in the network; and the data needed to manage routing features responsible for distributing load to multiple physical destinations based on some rule or logic (see, for example, col. 14, lines 9-25). BUYUKKOC et al. does not disclose or suggest, however, that RSD server 730 identifies, in the policy profile database and based on the signaling message, a policy for the calling party, where the policy profile

database stores entries that relate subscribers to policies, where each policy identifies one or more policy features, of a group of policy features, with which the related subscriber is associated, as would be required of BUYUKKOC et al. based on the Examiner's interpretation of the policy server. One skilled in the art would not reasonably construe BUYUKKOC et al.'s Tables VII-IX, which BUYUKKOC et al. discloses stores information regarding the status of links and routes in ATM network 20, as equivalent to a policy profile database that stores entries that relate subscribers to policies, where each policy identifies one or more policy features, of a group of policy features, with which the related subscriber is associated.

At col. 14, line 9, to col. 15, line 50, BUYUKKOC et al. discloses the contents of the routing status database. As indicated above, BUYUKKOC discloses that the routing status database includes some or all of the following information for each (source, destination) pair: connectivity information regarding the set of routes that can be used to interconnect the source and destination; information about alternate routes; information on the capacity of each route in the network; status of all of the routes in the network; and the data needed to manage routing features responsible for distributing load to multiple physical destinations based on some rule or logic (see, for example, col. 14, lines 9-25). Nowhere in this section of BUYUKKOC et al. or elsewhere does BUYUKKOC et al. disclose or suggest identifying, in the policy profile database and based on the signaling message, a policy for the calling party, where the policy profile database stores entries that relate subscribers to policies, where each policy identifies one or more policy

features, of a group of policy features, with which the related subscriber is associated, as recited in claim 1, as amended.

BUYUKKOC et al. does not further disclose or suggest executing, in said policy server and based on said signaling message, appropriate service logic for each policy feature of the one or more policy features identified by the policy for the calling party, as also recited in claim 1, as amended. BUYUKKOC et al. is completely silent regarding the above feature.

For at least the foregoing reasons, Applicants submit that claim 1 is not anticipated by BUYUKKOC et al. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 1 under 35 U.S.C. § 102(e) based on BUYUKKOC et al.

Claims 2, 3, 5, 11, and 12 depend from claim 1. Therefore, these claims are not anticipated by BUYUKKOC et al. for at least the reasons given above with respect to claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 2, 3, 5, 11, and 12 under 35 U.S.C. § 102(e) based on BUYUKKOC et al.

Independent claim 14 recites features similar to (yet possibly of different scope than) features described above with respect to claim 1. Therefore, Applicants submit that claim 14 is not anticipated by BUYUKKOC et al. for at least reasons similar to reasons given above with respect to claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 14 under 35 U.S.C. § 102(e) based on BUYUKKOC et al.

Claims 15, 16, 18, and 31 depend from claim 14. Therefore, these claims are not anticipated by BUYUKKOC et al. for at least the reasons given above with respect to claim 14. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 15, 16, 18, and 31 under 35 U.S.C. § 102(e) based on BUYUKKOC et al.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and NOAKE et al.**

Claims 4 and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of NOAKE et al. Applicants respectfully traverse this rejection.

Claim 4 depends from claim 1. The disclosure of NOAKE et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 4 is patentable over BUYUKKOC et al. and NOAKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 4 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and NOAKE et al.

Claim 17 depends from claim 14. The disclosure of NOAKE et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 14. Therefore, Applicants submit that claim 17 is patentable over BUYUKKOC et al. and NOAKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 14. Accordingly,

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 4 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and NOAKE et al.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and CHRISTIE et al.**

Claims 6, 8, 9, 19-21, 23, and 25 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of CHRISTIE et al. Applicants respectfully traverse this rejection.

Claims 6, 8, and 9 depend from claim 1. While not acquiescing in the rejection of claims 6, 8, and 9, Applicants submit that the disclosure of CHRISTIE et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 1. Therefore, Applicants submit that claims 6, 8, and 9 are patentable over BUYUKKOC et al. and CHRISTIE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 6, 8, and 9 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and CHRISTIE et al.

Claims 19-21, 23, and 25 depend from claim 14. While not acquiescing in the rejection of claims 19-21, 23, and 25, Applicants submit that the disclosure of CHRISTIE et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 14. Therefore, Applicants submit that these claims are patentable over BUYUKKOC et al. and CHRISTIE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 14. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw



the rejection of claims 19-21, 23, and 25 under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al. and CHRISTIE et al.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and FARRIS et al.**

Claims 7 and 22 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable  
over BUYUKKOC et al. in view of FARRIS et al. Applicants respectfully traverse this  
rejection.

Claim 7 depends from claim 1. While not acquiescing in the rejection of claim 7,  
Applicants submit that the disclosure of FARRIS et al. does not remedy the deficiencies  
in the disclosure of BUYUKKOC et al. set forth above with respect to claim 1.  
Therefore, Applicants submit that this claim is patentable over BUYUKKOC et al. and  
FARRIS et al., whether taken alone or in any reasonable combination, for at least the  
reasons given above with respect to claim 1. Accordingly, Applicants respectfully  
request that the Examiner reconsider and withdraw the rejection of claim 7 under 35  
U.S.C. § 103(a) based on BUYUKKOC et al. and FARRIS et al.

Claim 22 depends from claim 14. While not acquiescing in the rejection of claim  
22, Applicants submit that the disclosure of FARRIS et al. does not remedy the  
deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim  
14. Therefore, Applicants submit that this claim is patentable over BUYUKKOC et al.  
and FARRIS et al., whether taken alone or in any reasonable combination, for at least the  
reasons given above with respect to claim 14. Accordingly, Applicants respectfully  
request that the Examiner reconsider and withdraw the rejection of claim 22 under 35  
U.S.C. § 103(a) based on BUYUKKOC et al. and FARRIS et al.

**Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al. and VANDERVORT et al.**

Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of VANDERVORT et al. Applicants respectfully traverse this rejection.

Claim 10 depends from claim 1. While not acquiescing in the rejection of claim 10, Applicants submit that the disclosure of VANDERVORT et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 1. Therefore, Applicants submit that this claim is patentable over BUYUKKOC et al. and VANDERVORT et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 10 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and VANDERVORT et al.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and HORN et al.**

Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of HORN et al. Applicants respectfully traverse this rejection.

Claim 10 depends from claim 1. While not acquiescing in the rejection of claim 10, Applicants submit that the disclosure of HORN et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 1. Therefore, Applicants submit that this claim is patentable over BUYUKKOC et al. and HORN et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1. Accordingly, Applicants respectfully

request that the Examiner reconsider and withdraw the rejection of claim 10 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and HORN et al.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and BASSO et al.**

Claims 13 and 38 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of BASSO et al. Applicants respectfully traverse this rejection.

Claim 13 depends from claim 1. While not acquiescing in the rejection of claim 13, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 1. Therefore, Applicants submit that this claim is patentable over BUYUKKOC et al. and BASSO et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 13 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and BASSO et al.

Claim 38 depends from claim 14. While not acquiescing in the rejection of claim 38, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 14. Therefore, Applicants submit that this claim is patentable over BUYUKKOC et al. and BASSO et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 14. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 38 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and BASSO et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al. and CHRISTIE et al., and GAI et al.***

Claims 24 and 26 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of CHRISTIE et al., and further in view of GAI et al. Applicants respectfully traverse this rejection.

Claims 24 and 26 depend from claims 23 and 25, respectively. While not acquiescing in the rejection of claims 24 and 26, Applicants submit that the disclosure of GAI et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and CHRISTIE et al. set forth above with respect to claims 23 and 25. Therefore, Applicants submit that these claims are patentable over BUYUKKOC et al., CHRISTIE et al., and GAI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 23 and 25. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 24 and 26 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., CHRISTIE et al., and GAI et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al. and KOBAYASHI et al.***

Claims 27-29 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of KOBAYASHI et al. Applicants respectfully traverse this rejection.

Claims 27-29 depend from claim 18. While not acquiescing in the rejection of claims 27-29, Applicants submit that the disclosure of KOBAYASHI et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 18. Therefore, Applicants submit that claims 27-29 are patentable over

BUYUKKOC et al. and KOBAYASHI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 18. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 27-29 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and KOBAYASHI et al.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and SMITH et al.**

Claim 30 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of SMITH et al. Applicants respectfully traverse this rejection.

Claim 30 depends from claim 18. While not acquiescing in the rejection of claim 30, Applicants submit that the disclosure of SMITH et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 18. Therefore, Applicants submit that claim 30 is patentable over BUYUKKOC et al. and SMITH et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 18. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 30 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and SMITH et al.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and KILKKI et al.**

Claims 32-37 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of KILKKI et al. Applicants respectfully traverse this rejection.

Claims 32-37 depend from claim 31. While not acquiescing in the rejection of claims 32-37, Applicants submit that the disclosure of KILKKI et al. does not remedy the deficiencies in the disclosure of BUYUKKOC et al. set forth above with respect to claim 31. Therefore, Applicants submit that claims 32-37 are patentable over BUYUKKOC et al. and KILKKI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 31. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 32-37 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and KILKKI et al.

**Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and GAI et al.**

Claims 39-43, 45, 50, and 58 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al. Applicants respectfully traverse this rejection.

Independent claim 39 is directed to a computer-readable medium operable with an Asynchronous Transfer Mode (ATM) network node, where the computer-readable medium carries a sequence of instructions provided for executing service logic which, when executed by a processing entity associated with the ATM network node, causes the ATM network node to perform a method. The method includes receiving, in said ATM network node, a signaling message with respect to a call from a calling party, the signaling message being received from an intercept processor; identifying, in a policy profile database associated with the ATM network node and based on the signaling message, a policy for the calling party, the policy profile database storing entries that relate subscribers to policies, where each policy identifies one or more policy features, of

a group of policy features, with which the related subscriber is associated; executing, based on the signaling message, appropriate service logic for each policy feature of the one or more policy features identified by the policy for the calling party; determining whether a policy condition associated with each policy feature, of the one or more policy features identified by the policy for the calling party, is satisfied with respect to said signaling message; and upon determining that the policy condition associated with each policy feature, of the one or more policy features identified by the policy for the calling party, is satisfied with respect to said signaling message, causing a connection path to be established between the calling party and the called party. BUYUKKOC et al. and GAI et al., whether taken alone or in any reasonable combination, do not disclose or suggest one or more of these features.

For example, BUYUKKOC et al. and GAI et al. do not disclose or suggest identifying, in a policy profile database associated with the ATM network node and based on the signaling message, a policy for the calling party, the policy profile database storing entries that relate subscribers to policies, where each policy identifies one or more policy features, of a group of policy features, with which the related subscriber is associated; and executing, based on the signaling message, appropriate service logic for each policy feature of the one or more policy features identified by the policy for the calling party. These features are similar to (yet possibly of different scope than) features described above with respect to claim 1. Therefore, Applicants submit that BUYUKKOC et al. does not disclose or suggest the above features of claim 39 for at least reasons similar to reasons given above with respect to claim 1. Applicants submit that the disclosure of

GAI et al. does not remedy this deficiency in the disclosure of GAI et al. That is, GAI et al. does not disclose or suggest identifying, in a policy profile database associated with the ATM network node and based on the signaling message, a policy for the calling party, the policy profile database storing entries that relate subscribers to policies, where each policy identifies one or more policy features, of a group of policy features, with which the related subscriber is associated; and executing, based on the signaling message, appropriate service logic for each policy feature of the one or more policy features identified by the policy for the calling party, as recited in claim 39.

For at least these additional reasons, Applicants submit that claim 39 is patentable over BUYUKKOC et al. and GAI et al., whether taken alone or in any reasonable combination. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 39 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and GAI et al.

Claims 40-43, 45, 50, and 58 depend from claim 39. Therefore, these claims are patentable over BUYUKKOC et al. and GAI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 39. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 40-43, 45, 50, and 58 under 35 U.S.C. § 103(a) based on BUYUKKOC et al. and GAI et al.

**Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI et al., and NOAKE et al.**



Claim 44 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., and further in view of NOAKE et al.

Applicants respectfully traverse this rejection.

Claim 44 depends from claim 39. While not acquiescing in the rejection of claim 44, Applicants submit that the disclosure of NOAKE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and GAI et al. set forth above with respect to claim 39. Therefore, Applicants submit that claim 44 is patentable over BUYUKKOC et al., GAI et al., and NOAKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 39. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 44 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and NOAKE et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI et al., and CHRISTIE et al.***

Claims 46-48 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., and further in view of CHRISTIE et al.

Applicants respectfully traverse this rejection.

Claims 46-48 depend from claim 39. While not acquiescing in the rejection of claims 46-48, Applicants submit that the disclosure of CHRISTIE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and GAI et al. set forth above with respect to claim 39. Therefore, Applicants submit that claims 46-48 are patentable over BUYUKKOC et al., GAI et al., and CHRISTIE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 46-48 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and CHRISTIE et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI et al., and FARRIS et al.***

Claim 49 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., and further in view of FARRIS et al.

Applicants respectfully traverse this rejection.

Claim 49 depends from claim 45. While not acquiescing in the rejection of claim 49, Applicants submit that the disclosure of FARRIS et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and GAI et al. set forth above with respect to claim 45. Therefore, Applicants submit that claim 49 is patentable over BUYUKKOC et al., GAI et al., and FARRIS et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 45. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 49 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and FARRIS et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI et al., and KOBAYASHI et al.***

Claims 54-56 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., and further in view of KOBAYASHI et al. Applicants respectfully traverse this rejection.

Claims 54-56 depend from claim 45. While not acquiescing in the rejection of claims 54-56, Applicants submit that the disclosure of KOBAYASHI et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and GAI et al. set forth above with respect to claim 45. Therefore, Applicants submit that claim 54-56 are patentable over BUYUKKOC et al., GAI et al., and KOBAYASHI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 45. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 54-56 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and KOBAYASHI et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI et al., and SMITH et al.***

Claim 57 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., and further in view of SMITH et al. Applicants respectfully traverse this rejection.

Claim 57 depends from claim 45. While not acquiescing in the rejection of claim 57, Applicants submit that the disclosure of SMITH et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and GAI et al. set forth above with respect to claim 45. Therefore, Applicants submit that claim 57 is patentable over BUYUKKOC et al., GAI et al., and SMITH et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 45. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 57 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and SMITH et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI et al., and KILKKI et al.***

Claims 59-64 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., and further in view of KILKKI et al. Applicants respectfully traverse this rejection.

Claims 59-64 depend from claim 58. While not acquiescing in the rejection of claims 59-64, Applicants submit that the disclosure of KILKKI et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and GAI et al. set forth above with respect to claim 58. Therefore, Applicants submit that claim 59-64 are patentable over BUYUKKOC et al., GAI et al., and KILKKI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 58. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 59-64 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and KILKKI et al.

***Rejection under 35 U.S.C. § 103(a) based on  
BUYUKKOC et al., GAI et al., and BASSO et al.***

Claim 65 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of GAI et al., and further in view of BASSO et al. Applicants respectfully traverse this rejection.

Claim 65 depends from claim 45. While not acquiescing in the rejection of claim 65, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and GAI et al. set forth above with respect to claim 45. Therefore, Applicants submit that claim 65 is patentable over

BUYUKKOC et al., GAI et al., and BASSO et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 45. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 65 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., GAI et al., and BASSO et al.

**Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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